



MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF COMMISSIONERS
FOR THE
COUNTY OF LEE, STATE OF NORTH CAROLINA

MAY 7, 2007

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 9:00 a.m. in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Robert H. Brown, James C. Kelly, Jerry M. Lemmond, Nathan E. Paschal, Robert T. Reives, and Linda A. Shook.

Chairman Brown presided and the following business was transacted:

Commissioner Kelly delivered the invocation.

Chairman Brown led the pledge of allegiance.

Mr. Marc Clark from the Employee Selection Committee introduced Ms. Doris Powell, Children's Librarian with the Lee County Library as the May 2007 *Employee of the Month*. Chairman Brown presented Ms. Powell with her awards which include a day off with pay, a *Star Award*, a framed certificate, a pizza (compliments of Papa John's Pizza), Coca Cola products from Sanford Coca Cola Bottling Company, and a movie rental from the Movie Gallery.

Chairman Brown presented former Commissioner Amy Stevens with a Resolution of Appreciation and plaque for her four years and three months of service as a County Commissioner.

The Board considered additions/changes to the agenda. Commissioner Reives asked that the item pertaining to the Pay for Performance Program be pulled from the agenda. It was noted the Finance Committee will be discussing this program and making a recommendation to the full Board. Commissioner Kelly moved to approve the agenda as amended. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook

Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Lemmond moved to approve the Consent Agenda as presented, which consisted of the following items:

- Minutes from April 16, 2007 regular meeting;
- Minutes from April 16, 2007 Finance Committee meeting;
- Minutes from April 25, 2007 special meeting;
- Resolution to accept bid for vacant lots in Santa-Lee Park Subdivision (copy attached);
- Proclamation for *Older Americans Month* (copy attached);
- Annual Emergency Management Performance Grant to the State Emergency Management Office;
- Request to begin the foreclosure and collection proceedings against all of the prior years through 2006 on delinquent real estate taxes;
- Revision to the Lee County Personnel Policy (Section A-2, Procedure/Rule 3.2) (resolution attached);
- Budget amendment # 05/07/07/#18 (copy attached); and
- Agreement between County of Lee Transit and Signs & Designs, Inc. for vehicle advertising (copy attached)

Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The following individuals spoke during the *Public Comments* section of the meeting:

- Mr. Jimmy Fraley, 3535 Nicholson Road, Cameron. Mr. Fraley spoke in favor of the Board appointing Mr. Kirk Smith to fill the vacant District 2 seat on the Board of Commissioners.
- Mr. Kirk Smith, 3108 Avents Ferry Road. Mr. Smith thanked everyone for their support and nomination for the District 2 vacancy on the Board of Commissioners.

The Board considered a donor request from the Centennial Committee that had been tabled at the April 16, 2007 meeting, and was referred to the Finance Committee for a recommendation. Ms. Lynn Sadler, Chairperson of the Centennial Committee appeared before the Board and requested a donation of \$11,819.51 for the reprint of the booklet, *The Lee County 2007 Centennial Calendar of Events*, the purchase of one-hundred Centennial license plates, and funding for the Centennial Birthday Party that will be held at Depot Park on July 2, 2007. Commissioner Reives questioned how and when the booklets would be distributed. Ms. Sadler responded that the books would be distributed during the July 2nd Birthday Celebration at Depot Park. Commissioner Reives moved to approve the full request of \$11,819.51 to the Centennial Committee for the above-referenced projects. Commissioner Shook had concerns with the book due to the fact that it is mostly advertising from local businesses. She stated she was not comfortable with funding the book but had no problems with the July 2nd Birthday Celebration. Commissioner Lemmond stated he wished the Committee had requested

funding earlier so they would have had “seed” money for the project. Commissioner Paschal asked to be excused from voting since he is a member of the Centennial Committee. Chairman Brown excused Mr. Paschal from voting on the matter. Upon a vote of the motion, the results were as follows:

Aye: Brown, Kelly, Lemmond, and Reives
No: Shook
Abstained: Paschal

The Chairman ruled the motion had been adopted by a four to one vote.

The Board considered the current vacancy from District 2 on the Board due to the resignation of former Commissioner Amy Stevens. The Lee County Republican Party Executive Committee had recommended the name of Mr. Kirk Smith as a replacement for this vacancy. Commissioner Reives moved to postpone consideration of appointing someone to fill the vacancy on the Board until the June 4, 2007 meeting. Commissioner Shook stated she saw no need to postpone the vote. She further stated the Republican Party Executive Committee made a recommendation and she would like to see the matter discussed and debated today; not fair for the Clerk of Court to have to make the decision. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, and Reives
Nay: Shook

The Chairman ruled the motion had been adopted by a five to one vote.

Ms. Laura McClettie from the Department of Commerce US Census Bureau had provided the required paperwork to appear before the Board. Ms. McClettie discussed with the Board the upcoming dress rehearsal for the US Census. Ms. McClettie stated that Lee County is one of the rare areas that will undergo what is considered a “dress rehearsal” for the 2010 census. Sanford is part of a nine-county region surrounding Fayetteville that will participate in the pre-census in 2008. An area located in California is the only other region in the upcoming rehearsal. Ms. McClettie stated that over a period of several weeks next year, local workers will be collecting information from residents and gathering housing statistics that will help prepare the area for the 2010 census, which is the basis for the annual distribution of billions of dollars in federal tax money to state and local governments. No action was taken.

Commissioner Paschal left the meeting to attend a funeral at this time but did return to the meeting during the closed session.

The Board considered recommendations from the Planning Board. Assistant Community Development Director Marshall Downey told the Board the Planning Board approved the following recommendations:

1. Text amendment to Section 5.1 of the Unified Development Ordinance that would allow for accessory structures with the issuance of a Special Use Permit to be located on a parcel without a principle structure within the RA Residential Agricultural and RR Restricted Residential zoning districts;

2. Text amendment to delete Section 6.4 Cluster Subdivisions in its entirety from the Unified Development Ordinance;
3. Preliminary plat for *The Ridge* at Carolina Trace; and
4. Preliminary plat for *Franklin Chase Subdivision* located off South Franklin Drive

Commissioner Reives moved to approve an *Ordinance Amending the Lee County Unified Development Ordinance* in reference to the above two text amendments, along with the Preliminary plats presented. A of the Ordinance is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Reives, and Shook
Nay: None
Absent: Paschal

The Chairman ruled the motion had been adopted unanimously.

Information pertaining to a recent resolution adopted by the Orange County Board of Commissioners supporting a Real Estate Transfer Tax was presented as "information only". Discussion followed but no action was taken.

The Board considered a revision to the Lee County Financial Policy as it relates to positions funded by grants. Commissioner Reives stated the Finance Committee recommended the revision in order to try to avoid adding additional funding to the county. The policy states "*In an effort to stabilize the County's tax rate, all grant funded positions will be reviewed annually to verify continuation of funding. If grant funds are no longer available for a position, the position will be terminated unless a non-tax related source of revenue is provided to cover the cost of the position.*" Commissioner Reives stated the County did not need to be funding these positions and a record needs to be kept of all positions that apply. Commissioner Reives moved to approve the revised Financial Policies Resolution, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Reives, and Shook
Nay: None
Absent: Paschal

The Chairman ruled the motion had been adopted unanimously.

Interim County Manager and Finance Director Lisa Minter presented recommendations for the FY 2007-08 budget. No action was taken. A budget work session will be conducted at 3:00 p.m., Monday, May 14, 2007, in the Gordon Wicker Conference Room. A public hearing will be held at 7:00 p.m., Monday, May 21, 2007, in Courtroom #4 at the old Lee County Courthouse.

Commissioner Lemmond discussed the need for an agriculture agent at the Cooperative Extension Office. For the past two years Lee County has appropriated funding (45%) for the hiring of this position. North Carolina State University had agreed to fund the balance of 55% for said position, but to date, has not hired an individual.

After some discussion, Commissioner Lemmond moved that a letter of support be forwarded to NC State asking that a full-time agricultural agent be placed in Lee County, with Lee County paying 45% of the salary and NC State paying 55%. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Reives, and Shook
Nay: None
Absent: Paschal

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives asked that the Clerk forward a letter to Sandhills Mental Health asking for an update on the recent Mental Health law suite in Harnett County. Commissioner Shook also asked that information be obtained from Sandhills Mental Health concerning the number of substance abuse cases Lee County has treated in the past twelve months.

Commissioner Kelly moved to go into closed session to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or respective public officer or employee, per North Carolina General Statute 143-318.11(a)(6). Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Reives, and Shook
Nay: None
Absent: Paschal

The Chairman ruled the motion had been adopted unanimously and the Board was in closed session. Upon completing business in closed session, the meeting resumed in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, with all members present.

The Board discussed the vacant County Manager's position. Commissioner Reives moved to accept the recommendation of the County Manager's Selection Committee to consider the final two candidates selected for the Manager's position. Commissioner Shook made a substitute motion to interview one additional candidate that had not been selected by the Selection Committee. Upon a vote of the substitute motion, the results were as follows:

Aye: Paschal and Shook
Nay: Brown, Kelly, Lemmond, and Reives

The Chairman ruled the motion failed with a four to two vote.

Upon a vote of the original motion, the results were as follows:

Aye: Brown, Kelly, Lemmond, and Reives
Nay: Paschal and Shook

The Chairman ruled the motion had been adopted by a four to two vote.

Commissioner Reives moved to hire Mr. John Crumpton as the new Lee County Manager, contingent upon back-ground and reference checks. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, and Reives
Nay: Shook

The Chairman ruled the motion had been adopted unanimously.

With no further business to come before the Board, Commissioner Paschal moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned in keeping with the motion.

Robert H. Brown, Chairman
Lee County Board of Commissioners

ATTEST:

Gaynell M. Lee, Clerk